

MONDAY, FEBRUARY 13, 1989

EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Deacon Bill Robinson, Watertown Church of Christ, Watertown, Tennessee.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Gaia was excused because of illness.

The Speaker announced that Representative Garrett was excused because of illness.

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**MESSAGE FROM THE GOVERNOR
February 10, 1989**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 12, 26, 42 and 43, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

CONSENT CALENDAR

House Bill No. 0052 -- Springfield -- Restates charter. Amends Chapter 127, Private Acts of 1927, as amended.

House Bill No. 0140 -- Taxes, Privilege -- Levies privilege tax on amusements in Gatlinburg.

House Bill No. 0672 -- Johnson County -- Authorizes levy of hotel occupancy tax.

House Bill No. 0682 -- Marshall County -- Revises certain provisions relative to term of office of county attorney. Amends Chapter 29, Private Acts of 1977.

House Bill No. 0712 -- Cookeville -- Revises city charter. Amends Chapter 223, Private Acts of 1961.

House Bill No. 0743 -- Hickman County -- Revises duties of tax assessor. Repeals Chapter 200, Private Acts of 1945.

Senate Joint Resolution No. 0028 -- Memorials, Public Service -- Honors Mack Prichard on work with Tennessee Federation of Garden Clubs in planning Conservation Camp.

Senate Joint Resolution No. 0042 -- Memorials, Personal Achievement -- Honors Dennis Eugene Hoover for achieving Eagle Scout rank.

Senate Joint Resolution No. 0062 -- Memorials, Personal Achievement -- Congratulates Truman Leslie Stubblefield, Jr. on being awarded the Eagle Scout badge.

Senate Joint Resolution No. 0065 -- General Assembly, Proclamations -- Proclaims February 12-18, 1989 as Business Professionals of America and National Vocational Education week.

Senate Joint Resolution No. 0077 -- Memorials, Public Service -- Honors Mary Shadow Hill on her exemplary life and years of public service.

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Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 44 so that all bills filed by 4:00 p.m. on Thursday, February 16, 1989 (cut off date) will be considered introduced and passed first consideration, which motion prevailed.

RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 49 (48-hour rule) to allow bills moved from Calendar and Rules on Tuesday, February 14, 1989, to be set on the floor calendar for Wednesday, February 15, 1989, which motion prevailed.

RULES SUSPENDED

Rep. Dixon moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 8 out of order, which motion prevailed.

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***Senate Joint Resolution No. 0008** -- General Assembly, Statement of Intent Or Position -- Expresses support of Governor's exclusion of James Earl Ray from consideration for early parole.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Dixon, the resolution was concurred in by the following vote:

Ayes.	90
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 7 out of order, which motion prevailed.

***House Resolution No. 0007** -- General Assembly, Studies -- Expands the scope of study, by teen pregnancy task force, to include certain problems which hinder adolescent development and well being. by *DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, the resolution was adopted by the following vote:

Ayes.	93
Noes.	0

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

SPONSORS REMOVED

On motion, Rep. Jackson was removed as sponsor of House Bill No. 744.

ANNOUNCEMENTS

The Division of Municipal Audit of the Comptroller's Office has filed with the Clerk's office the Report on Selected Financial Information on Public Utility Districts in Tennessee for period ending June 30, 1987.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0081 -- Memorials, Condolence -- Honors memory of Major Robert "Buster" Sipes. by *Sipes, *McDaniel, *Niceley, *Ussery, *Halteman, *Chiles, *Crain, *Scruggs, *Haun, *Good, *Kisber, *Stallings, *Davis J K, Callicott, Hubbard, Webb, Peroulas, Williams K, Nuber, Hassell, Armstrong, Copeland, Turner C, Shirley, Curlee, Anderson, Henry Jim.

The Speaker referred House Joint Resolution No. 81 to the Calendar and Rules Committee.

House Joint Resolution No. 0082 -- General Assembly, Statement of Intent Or Position -- Expresses support for the drug free Tennessee program; requests program be expanded to include certain additional components. by *DeBerry, *Jones R.

The Speaker referred House Joint Resolution No. 82 to the General Welfare Committee.

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House Joint Resolution No. 0083 -- Memorials, Government Officials -- Directs department of tourist development to undertake certain activities to encourage and enhance black tourism. by *DeBerry, *Jones R.

The Speaker referred House Joint Resolution No. 83 to the Conservation and Environment Committee.

House Joint Resolution No. 0084 -- Memorials, Professional Achievement -- Honors Spurgeon J. Smith on outstanding teaching career. by *Crain.

The Speaker referred House Joint Resolution No. 84 to the Calendar and Rules Committee.

House Joint Resolution No. 0085 -- Memorials, Government Officials -- Calls for joint creation of a committee on black Tennesseans in higher education; directs such committee to annually report. by *Pruitt, *Jones R, *Turner L, *Jones U, *Love, *King, *Robinson C B, *Dixon, *Armstrong, *DeBerry, Kernell.

The Speaker referred House Joint Resolution No. 85 to the Education Committee.

House Joint Resolution No. 0086 -- General Assembly, Statement of Intent Or Position -- Expresses position that education, job training, counseling, and economic opportunity are most effective instruments to deter criminal behavior and rehabilitate criminal offenders. by *Jones U, *Jones R, *Armstrong, *Pruitt, *King, *Robinson C B.

The Speaker referred House Joint Resolution No. 86 to the State and Local Government Committee.

House Joint Resolution No. 0087 -- Memorials, Government Officials -- Encourages Department of Tourist Development to sponsor activities in arts within advertising budget. by *Williams K.

The Speaker referred House Joint Resolution No. 87 to the Conservation and Environment Committee.

House Joint Resolution No. 0088 -- Memorials, Government Officials -- Requests governor to create division of minority economic development and employment. by *Turner L, *Jones R, *Pruitt, *Armstrong, *Gaia, *Dixon, *King, *Love, *Jones U, *DeBerry, *Burnett, Turner C, Nuber, Cain, Herron.

The Speaker referred House Joint Resolution No. 88 to the Commerce Committee.

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House Joint Resolution No. 0089 -- Tennessee Higher Education Commission -- Directs higher education commission to compile and publish certain information pertaining to role and status of blacks. by *Turner L, *Jones R, *Pruitt, *Armstrong, *Gaia, *Dixon, *King, *Love, *Jones U, *DeBerry, Turner C, Burnett, Nuber, Cain, Herron.

The Speaker referred House Joint Resolution No. 89 to the Education Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0067 -- Memorials, Sports -- Congratulates Michael Alsup on his selection as a Youth Sports Leader by the NYSCA.

The Speaker referred Senate Joint Resolution No. 67 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0069 -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Kermit G. Rowe, Jr. on twenty-fifth anniversary.

The Speaker referred Senate Joint Resolution No. 69 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0079 -- Memorials, Congratulations -- Congratulates Camden Lions Club on 50th anniversary.

The Speaker referred Senate Joint Resolution No. 79 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0080 -- Memorials, Personal Achievement -- Honors Patrick Don Smith on attaining Eagle Scout rank.

The Speaker referred Senate Joint Resolution No. 80 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 0804 -- Putnam County -- Increases salary of school board members. Amends Chapter 14, Private Acts of 1963, as amended. by *Henry Dwight.

Passed first consideration.

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***House Bill No. 0805 -- Computers and Data Processing --** Revises procedures for multi- step sealed bidding on public purchases of computer systems. Amends TCA 12-3-203. by *Copeland.

Passed first consideration.

House Bill No. 0806 -- Sentencing -- Requires pre-sentence reports on all locally sentenced felons. Amends TCA 40-35-209. by *DeBerry.

Passed first consideration.

House Bill No. 0807 -- Welfare -- Increases AFDC cash payments by increasing percentage of the standard of need. Amends TCA, Title 71, Ch. 3. by *DeBerry.

Passed first consideration.

House Bill No. 0808 -- Traffic Safety -- Requires placement of reflectors on certain highways. Amends TCA, Title 54, Ch. 5. by *DeBerry.

Passed first consideration.

House Bill No. 0809 -- Law Enforcement Training Academy -- Commissions director of Tennessee Police training institute as a law enforcement officer; allows him to commission instructors. Amends TCA 38-8-207. by *Wix.

Passed first consideration.

House Bill No. 0810 -- Public Defenders -- Creates public defender pilot program in tenth judicial district. Amends TCA, Title 8, Ch. 14. by *Bivens, *Harrill.

Passed first consideration.

House Bill No. 0811 -- Insurance, Motor Vehicles -- Clarifies premium reduction for completion of a motorcycle training course. Amends TCA 55-51-106. by *Bivens.

Passed first consideration.

House Bill No. 0812 -- Aged Persons -- Enhances penalty for rape of elderly persons. Amends TCA, Title 39, Ch. 2, Pt. 6. by *Kisber, *Sipes.

Passed first consideration.

House Bill No. 0813 -- Taxes, Real Property -- Increases fee paid to county registers for issuing receipts on transfer taxes. Amends TCA 67-4-409. by *Kisber.

Passed first consideration.

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House Bill No. 0814 -- Mobile Homes and House Trailers -- Defines "mobile home park" for purposes of property assessments. Amends TCA 67-5-802. by *Kisber.

Passed first consideration.

House Bill No. 0815 -- County Officers -- Raises salaries of certain county officers and clerks of courts. Amends TCA 8-24-102. by *Kisber.

Passed first consideration.

House Bill No. 0816 -- Education, Higher -- Revises certain provisions of chairs of excellence program. Amends TCA, Title 49, Ch. 7, Pt. 5. by *Bragg, *Davidson, *Naifeh.

Passed first consideration.

House Bill No. 0817 -- Medicare and Medicaid -- Provides certain unlimited medical assistance for certain medicaid infants. Directs department of human services to reimplement presumptive eligibility for such infants under certain circumstances. Amends TCA, Title 71. by *DeBerry, *Jones R.

Passed first consideration.

House Bill No. 0818 -- Medicare and Medicaid -- Expands medicaid coverage to include, under certain circumstances, provision of eyeglasses as well as extraction of rotten or infected teeth. Amends TCA, Titles 68, 71. by *DeBerry, *Jones R.

Passed first consideration.

House Bill No. 0819 -- Teenage Pregnancy -- Creates responsible adolescent parenting program within department of human services. Amends TCA, Title 71. by *DeBerry, *Jones R.

Passed first consideration.

House Bill No. 0820 -- Handicapped Persons -- Prohibits housing discrimination on basis of handicap or "familial status"; requires accessibility to handicapped of certain multifamily dwellings. Amends TCA, Title 4, Ch. 21. by *DeBerry.

Passed first consideration.

House Bill No. 0821 -- Family Life Curriculum -- Mandates family life instruction in certain counties under certain circumstances. Amends TCA, Title 49. by *DeBerry.

Passed first consideration.

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House Bill No. 0822 -- Aged Persons -- Creates long term care ombudsman program within commission on aging. Similar to *SB 196/HB 367. Amends TCA, Title 71, Ch. 2, Pt. 1. by *DeBerry.

Passed first consideration.

House Bill No. 0823 -- Teenage Pregnancy -- Increases amount of state grant awarded to programs selected as model teen pregnancy programs; increases membership of selection committee. Amends TCA 37-3-111. by *DeBerry.

Passed first consideration.

House Bill No. 0824 -- Aged Persons -- Requires services of district public guardians for elderly to be procured by contract. Amends TCA 34-7-103. by *DeBerry.

Passed first consideration.

House Bill No. 0825 -- Taxes, Tobacco, Tobacco Products -- Raises tobacco tax with proceeds going to indigent health care. Amends TCA, Title 67, Ch. 4, Pt. 10. by *Kernell.

Passed first consideration.

House Bill No. 0826 -- Bingo -- Revises procedures for conduct of bingo. Amends TCA, Title 39, Ch. 6, Pt. 6; Title 62, Ch. 33. by *Kernell.

Passed first consideration.

House Bill No. 0827 -- Municipal Government -- Revises maximum salary of mayor and commissioners in certain cities organized under city manager commission charter. Amends TCA 6-20-204. by *Pruitt, *West.

Passed first consideration.

House Bill No. 0828 -- Annexation -- Removes application of 25 percent land area cap in certain circumstances. Amends TCA 6-51-102. by *Kisber.

Passed first consideration.

House Bill No. 0829 -- Utilities, Utility Districts -- Limits charges for utility services when customer is unknowingly undercharged due to defects in equipment. Amends TCA, Title 7. by *Davis Ray, *Holt, *Stallings, *Moore C, *Pinion.

Passed first consideration.

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House Bill No. 0830 -- Banks and Financial Institutions -- Permits banks to receive compensation for furnishing data regarding bank customers to insurance providers. Amends TCA 56-6-149, 56-6-201. by *Garrett, *Callicott, Phillips.

Passed first consideration.

House Bill No. 0831 -- Motor Vehicles, Titling and Registration -- Revises registration requirements for commercial fleets. Amends TCA, Title 55, Ch. 4. by *Clark.

Passed first consideration.

House Bill No. 0832 -- Public Officials -- Allows county officials to receive official payments by checks written in such officials' name. Amends TCA 9-1-108. by *Clark.

Passed first consideration.

House Bill No. 0833 -- Assessors -- Revises formula for determining permissible number of deputy assessors; authorizes assessor to hire secretary without approval of county legislative body. Amends TCA 67-1-506. by *Clark.

Passed first consideration.

House Bill No. 0834 -- Taxes, Real Property -- Requires statement to be filed with clerk and master instead of county assessor by persons with interest in real property to be sold for unpaid taxes. Amends TCA 67-5-2502. by *Clark.

Passed first consideration.

House Bill No. 0835 -- Judicial Officers -- Increases circuit court clerk's fee for each name on a jury list. Amends TCA 22-2-204. by *Clark.

Passed first consideration.

House Bill No. 0836 -- Civil Procedure -- Prohibits pleading specific amount of damages in certain complaints. by *Clark.

Passed first consideration.

House Bill No. 0837 -- County Officers -- Places deputy sheriffs under Governmental Tort Liability Act. Amends TCA, Title 8, Ch. 8. by *Clark.

Passed first consideration.

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House Bill No. 0838 -- Taxes, Business -- Increases fee for collecting and recording business taxes. Amends TCA, Title 67. by *Clark.

Passed first consideration.

House Bill No. 0839 -- Criminal Offenses -- Imposes mandatory sentencing for certain drug offenses on school grounds. Amends TCA, Title 39, Ch. 6. by *Clark.

Passed first consideration.

House Bill No. 0840 -- Taxes, Business -- Exempts local governments from remitting percentage of business taxes to state under certain circumstances. Amends TCA, Title 67, Ch. 4, Pt. 7. by *Clark.

Passed first consideration.

House Bill No. 0841 -- Motor Vehicles, Titling and Registration -- Revises registration requirements for commercial vehicles. Amends TCA, Title 55, Ch. 4. by *Clark.

Passed first consideration.

House Bill No. 0842 -- Estates -- Revises process for administering insolvent estates. Amends TCA, Title 30, Ch. 5. by *Clark.

Passed first consideration.

House Bill No. 0843 -- Medical Occupations -- Enacts "Orientation and Mobility Specialists Practice Act of 1989". Amends TCA, Title 63. by *Clark.

Passed first consideration.

House Bill No. 0844 -- Motor Vehicles, Titling and Registration -- Imposes fee on auctioned motor vehicles under certain circumstances. Amends TCA, Title 55, Ch. 6, Pt. 1; Title 55, Ch. 17, Pt. 1. by *Clark.

Passed first consideration.

House Bill No. 0845 -- Bad Checks -- Clarifies handling fee which municipal or county officer may impose on bad checks. Amends TCA 9-1-109. by *Clark.

Passed first consideration.

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House Bill No. 0846 -- Taxes, Business -- Increases minimum business tax. Amends TCA, Title 67. by *Clark.

Passed first consideration.

House Bill No. 0847 -- Abortion -- Revises duties of department of human services under parental consent law. Amends TCA 37-10-304. by *Clark.

Passed first consideration.

House Bill No. 0848 -- Abortion -- Streamlines appeal procedure under parental consent law. Amends TCA 37-10-304. by *Clark.

Passed first consideration.

House Bill No. 0849 -- Abortion -- Streamlines appeal procedure under parental consent law. Amends TCA 37-10-304. by *Clark.

Passed first consideration.

House Bill No. 0850 -- Unemployment Compensation -- Increases maximum weekly benefit amount. Amends TCA 50-7-301. by *Clark.

Passed first consideration.

House Bill No. 0851 -- Traffic Safety -- Revises certain provisions relative to the use of safety belts in certain motor vehicles. Amends TCA, Title 55, Ch. 9, Pt. 6. by *Kernell, *Moore U A, *King, *Scruggs, *Peroulas, *Turner B, *Robinson Robb, McAfee.

Passed first consideration.

House Bill No. 0852 -- Motor Vehicles, Titling and Registration -- Requires applicant to put street address and number on application for title or driver license. Amends TCA, Title 55. by *Clark.

Passed first consideration.

House Bill No. 0853 -- Taxes, Business -- Increases business tax for transient vendors. Amends TCA, Title 67. by *Clark.

Passed first consideration.

House Bill No. 0854 -- Mental Health and Mental Retardation, Dept. of -- Provides for certain reimbursement for owners of supportive living facilities who accept patients discharged directly from mental health institutes operated by department. Amends TCA, Titles 33, 68. by *Armstrong, *Jones R, *Jones U, *DeBerry, *Pruitt.

Passed first consideration.

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House Bill No. 0855 -- Sunset Laws -- Terminates Tennessee collection services board. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 20. by *Dixon, *Pruitt, *Jones U.

Passed first consideration.

House Bill No. 0856 -- Fees -- Revises certain fees for late renewal of certain certificates and licenses. Amends TCA, Titles 62, 63. by *Dixon, *Pruitt, *Jones U.

Passed first consideration.

House Bill No. 0857 -- Hospitals and Health Care Facilities -- Increases membership of board for licensing health care facilities. Amends TCA 68-11-203. by *Dixon, *Pruitt, *Jones U.

Passed first consideration.

House Bill No. 0858 -- Jails, Local Lock-ups -- Authorizes county legislative body to set jailer fees for certain pretrial felon prisoners. Amends TCA, Title 8, Ch. 26. by *Clark.

Passed first consideration.

House Bill No. 0859 -- Juries and Jurors -- Revises provisions for compensation of jurors. Amends TCA, Title 22. by *Clark.

Passed first consideration.

House Bill No. 0860 -- Tort Liability -- Creates cause of action against employer for removing warning labels and safety devices from machinery in work place. Amends TCA, Title 50, Ch. 1. by *Clark.

Passed first consideration.

House Bill No. 0861 -- Savings and Loan Associations -- Includes Maryland and District of Columbia in Regional Savings Institution Act. Amends TCA, Title 45, Ch. 3. by *Davis J K.

Passed first consideration.

House Bill No. 0862 -- Judicial Procedure -- Revises internal TCA references. Amends TCA 29-20-104. by *Davis J K.

Passed first consideration.

House Bill No. 0863 -- Workers' Compensation -- Defines formula for determining proper subrogation amount to employer or insurer from third party. Amends TCA 50-6-112; Title 56, Ch. 7, Pt. 1. by *Davis J K.

Passed first consideration.

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House Bill No. 0864 -- Evidence -- Provides alternative procedure for presumption of reasonableness relative to certain medical expenses. Amends TCA 24-5-113. by *Davis J K.

Passed first consideration.

House Bill No. 0865 -- Consumer Protection -- Requires personal services providers to disclose certain information in a timely manner. Amends TCA 47-18-1101, 1102. by *Buck.

Passed first consideration.

House Bill No. 0866 -- Taxes, Litigation -- Increases litigation privilege taxes for civil suits and certain criminal cases. Amends TCA, Title 40, Ch. 14, Pt. 2; Title 67, Ch. 4, Pt. 6. by *Purcell, *Burnett, *Buck, *Davidson.

Passed first consideration.

House Bill No. 0867 -- Tort Liability -- Authorizes waiver of landowner's liability in certain circumstances. Amends TCA, Title 70, Ch. 7. by *Turner C, *Buck.

Passed first consideration.

House Bill No. 0868 -- Motor Vehicles -- Deletes certain requirements for certain persons to operate a motorcycle or motor driven cycle. Amends TCA, Title 55. by *Clark.

Passed first consideration.

House Bill No. 0869 -- Purchasing -- Creates criminal offense of fraudulently obtaining set-aside contract from agency of state or local government. Amends TCA, Titles 8, 39. by *Jones U, *Jones R, *Armstrong, *Love, *King, *Pruitt, *Robinson C B, *Dixon.

Passed first consideration.

House Bill No. 0870 -- Insurance, Motor Vehicles -- Prohibits nonrenewal of automobile insurance policy solely because of old age of insured. Amends TCA, Title 56. by *Shirley.

Passed first consideration.

House Bill No. 0871 -- Insurance, Motor Vehicles -- Prohibits automobile insurance companies from increasing premiums under certain circumstances. Amends TCA 56-7-1109. by *Shirley.

Passed first consideration.

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House Bill No. 0872 -- Civil Service -- Requires notice be given of civil service exams. Amends TCA, Title 8, Ch. 30. by *Shirley.

Passed first consideration.

House Bill No. 0873 -- Unemployment Compensation -- Increases weekly benefits. Amends TCA 50-7-301. by *Shirley.

Passed first consideration.

House Bill No. 0874 -- Attorneys at Law -- Increases penalty for unauthorized practice of law. Amends TCA, Title 23. by *Shirley.

Passed first consideration.

House Bill No. 0875 -- Annexation -- Includes Memphis and Nashville in annexation ordinance. Amends TCA, Title 6, Ch. 51. by *Shirley.

Passed first consideration.

House Bill No. 0876 -- Taxes, Sales -- Exempts airplanes from sales and retail tax. Amends TCA 67-6-341. by *Shirley.

Passed first consideration.

House Bill No. 0877 -- Liens -- Establishes contractor's lien as only valid lien on real property to secure improvements of certain value. Amends TCA, Title 66, Ch. 11. by *Shirley.

Passed first consideration.

House Bill No. 0878 -- Motor Vehicles, Titling and Registration -- Removes prohibition on charging for special plates only at time of issuance of plates. Amends TCA, Title 55, Ch. 4. by *Duer.

Passed first consideration.

House Bill No. 0879 -- Taxes, Real Property -- Increases minimum income level at which property tax relief eligibility occurs for the elderly and handicapped. Amends TCA, Title 67, Ch. 5. by *Love.

Passed first consideration.

House Bill No. 0880 -- Pensions and Retirement Benefits -- Classifies sheriffs in Group 2. Amends TCA, Title 8, Ch. 35. by *Love.

Passed first consideration.

MONDAY, FEBRUARY 13, 1989 -- EIGHTH LEGISLATIVE DAY

House Bill No. 0881 -- Knox County -- Provides that circuit and general sessions court clerk serve as clerk of juvenile court. Amends Chapter 277, Private Acts of 1913, as amended. by *Miller.

Passed first consideration.

House Bill No. 0882 -- Economic and Community Development -- Changes certain procedures within Enterprise Zone Act; increases certain incentives contained therein. Amends TCA, Title 13. by *Jones U, *Jones R, *Armstrong, *Turner L, *Pruitt, *Robinson C B, *King, Kernell.

Passed first consideration.

House Bill No. 0883 -- Children -- Applies state cap on payment to certain guardians ad litem to counties and metropolitan governments. Amends TCA, Title 37, Ch. 1. by *Odom.

Passed first consideration.

House Bill No. 0884 -- Governor -- Creates staff division on minority economic development and employment. Amends TCA, Title 4. by *Turner L, *Jones R, *Pruitt, *Armstrong, *Gaia, *Dixon, *King, *Love, *Jones U, *DeBerry, *Burnett, Turner C, Nuber, Cain, Herron.

Passed first consideration.

House Bill No. 0885 -- Economic and Community Development -- Enacts the Tennessee BIDCO Act. by *Turner L, *Jones R, *Pruitt, *Armstrong, *Gaia, *Dixon, *King, *Love, *Jones U, *DeBerry, Turner C, Burnett, Nuber, Cain, Herron.

Passed first consideration.

House Bill No. 0886 -- Handicapped Persons -- Includes children with dyslexia under provisions of handicapped education. Amends TCA, Title 49, Ch. 10, Pt. 1. by *Starnes.

Passed first consideration.

House Bill No. 0887 -- Jails, Local Lock-ups -- Reduces amount of sentences which may be served in local jails. Amends TCA, Title 40. by *Starnes, *Wood, *Robinson C B, *Miller.

Passed first consideration.

House Bill No. 0888 -- Jails, Local Lock-ups -- Removes cap placed on state expenditures for local jails. Amends TCA, Title 41, Ch. 8, Pt. 1. by *Starnes, *Wood, *Robinson C B, Turner B.

Passed first consideration.

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House Bill No. 0889 -- Jails, Local Lock-ups -- Prohibits decertification of local jail if only reason would be overcrowding with state prisoners. Amends TCA, Title 41, Ch. 4. by *Starnes, *Wood, *Robinson C B, *Turner B.

Passed first consideration.

***House Bill No. 0890 -- Health --** Modifies Uniform Anatomical Gift Act to reflect certain amendments. Amends TCA 38-7-103, 104, 106, 108, 55-50-352; Title 68, Ch. 30. by *Starnes.

Passed first consideration.

House Bill No. 0891 -- Utilities, Utility Districts -- Authorize board of commissioners in utility district in certain county to be appointed by county executive; provides for per diem payments of members of such board. Amends TCA, Title 7, Ch. 82. by *Starnes.

Passed first consideration.

House Bill No. 0892 -- Estates -- Removes requirement of filing certified copy of revivor order against deceased persons; removes clerk's duty to file such order. Amends TCA 30-2-320. Repeals TCA 2-8-117. by *Purcell, *Jackson.

Passed first consideration.

House Bill No. 0893 -- Taxes, Inheritance Gift -- Enacts "Payment of Transfer Taxes in Kind Act". Amends TCA 67-1-1802; Title 67, Ch. 8. by *Purcell, *Jackson.

Passed first consideration.

House Bill No. 0894 -- Civil Procedure -- Limits time within which to bring suit on contract in certain circumstances. Amends TCA 28-1-105. by *Purcell, *Clark, *Stamps.

Passed first consideration.

House Bill No. 0895 -- Uniform Commercial Code -- Clarifies law concerning fixture filings in secured transactions. Amends TCA, Title 47, Ch. 9. by *Purcell.

Passed first consideration.

House Bill No. 0896 -- Workers' Compensation -- Authorizes access to employer premises by employee's attorney to determine validity of third party claim. Amends TCA, Title 50, Ch. 6. by *Kernell.

Passed first consideration.

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House Bill No. 0897 -- Solid Waste Disposal -- Enacts Tennessee Solid Waste Planning, Management and Recovery Act. Amends TCA, Title 68. by *Kernell.

Passed first consideration.

House Bill No. 0898 -- Solid Waste Disposal -- Requires compliance with local zoning ordinances prior to approval of construction or change in solid waste disposal facility or disposal facility or site. Amends TCA, Title 68, Ch. 31. by *Davidson.

Passed first consideration.

House Bill No. 0899 -- Day Care -- Revises provisions for certain daycare facilities. Amends TCA, Title 49, Ch. 1; Title 71, Ch. 3. by *Davidson, *Winningham, *Wood.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0001 -- Statutes -- Held on the Clerk's desk pending third consideration of companion House Bill No. 12.

Senate Bill No. 0009 -- Utilities, Utility Districts -- Held on the Clerk's desk pending third consideration of companion House Bill No. 2.

Senate Bill No. 0017 -- Fees -- Held on the Clerk's desk pending third consideration of companion House Bill No. 62.

Senate Bill No. 0051 -- Springfield -- Held on the Clerk's desk pending third consideration of companion House Bill No. 52.

Senate Bill No. 0074 -- Process, Service of -- Held on the Clerk's desk pending third consideration of companion House Bill No. 698.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 0757 -- Williamson County -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 0758 -- Products Liability -- Passed second consideration and referred to the Judiciary Committee.

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House Bill No. 0759 -- Unemployment Compensation -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

House Bill No. 0760 -- Sexual Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0761 -- Highway Patrol -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0762 -- Motor Vehicles -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0763 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0764 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0765 -- Industrial Development -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0766 -- Banks and Financial Institutions -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0767 -- Insurance, Credit Life -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0768 -- Insurance, Credit Life -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0769 -- Criminal Offenses -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0770 -- Licenses -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0771 -- Health -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 0772 -- Equalization Board -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0773 -- Municipal Government -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0774 -- County Government -- Passed second consideration and referred to the State and Local Government Committee.

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House Bill No. 0775 -- Teachers -- Passed second consideration and referred to the Education Committee.

House Bill No. 0776 -- Associations -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0777 -- Unicoi County -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 0778 -- Taxes, Income -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0779 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0780 -- McMinn County -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 0781 -- Taxes, Real Property -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0782 -- Budget Procedures -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0783 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0784 -- Day Care -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 0785 -- Blount County -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 0786 -- Telecommunications -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0787 -- Motor Vehicles, Titling and Registration -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0788 -- Banks and Financial Institutions -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0789 -- Credit Unions -- Passed second consideration and referred to the Commerce Committee.

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House Bill No. 0790 -- Budget Procedures -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0791 -- Sunset Laws -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0792 -- Tort Liability -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0793 -- Refuse Disposal -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0794 -- Optometry -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 0795 -- Corporations -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0796 -- Estates -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0797 -- Banks and Financial Institutions -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0798 -- Savings and Loan Associations -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0799 -- Education, Higher -- Passed second consideration and referred to the Education Committee.

House Bill No. 0800 -- Workers' Compensation -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

House Bill No. 0801 -- Alcoholic Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0802 -- Taxes -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0803 -- Public Defenders -- Passed second consideration and referred to the Judiciary Committee.

SIGNED

February 13, 1989

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 2, 3, 9, 15, 19, 20, 29, 33, 34 and 37.

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**MESSAGE FROM THE SENATE
February 13, 1989**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 316; also, House Joint Resolution(s) No(s). 2, 3, 9, 15, 19, 20, 29, 33, 34, 37, 58 and 59; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**MESSAGE FROM THE SENATE
February 13, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 1, 2, 6, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 23, 24, 29, 30, 31, 33, 34, 35, 37, 38, 39, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 58, 59, 60, 61 and 76; for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**REPORT OF CHIEF ENGROSSING CLERK
February 13, 1989**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 316; and House Joint Resolution(s) No(s). 2, 3, 9, 15, 19, 20, 29, 33, 34, 37, 58 and 59; for his action.

**BETTY KAY FRANCIS,
Chief Engrossing Clerk.**

**SIGNED
February 13, 1989**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 1, 2, 6, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 23, 24, 29, 30, 31, 33, 34, 35, 37, 38, 39, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 58, 59, 60, 61 and 76.

**MESSAGE FROM THE SENATE
February 13, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 13, 14, 18, 82, 136, 137, 140, 142, 146 and 179; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

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***Senate Bill No. 0013 -- Garnishments and Executions --** Permits expedited hearing on motion to pay judgment in installments under certain circumstances. Amends TCA 26-2-216.

***Senate Bill No. 0014 -- Sports --** Clarifies expiration of right to rescind for contracts between sports agents and student athletes. Amends TCA, Title 49, Ch. 7, Pt. 21.

***Senate Bill No. 0018 -- Trusts --** Declares trust established for perpetual care of a private cemetery to be a charitable trust; establishes mechanism for creating a trust for such care. Amends TCA, Title 35, Chs. 1, 50; Title 67, Ch. 2, Pt. 1.

***Senate Bill No. 0082 -- Game and Fish Laws --** Authorizes hunting and fishing license sales agents to provide a letter of credit as alternative to surety bond. Amends TCA, Title 70, Ch. 2, Pt. 1.

Senate Bill No. 0136 -- Sunset Laws -- Terminates the education council. Amends TCA, Title 4, Ch. 29. Repeals TCA 49-12-202.

Senate Bill No. 0137 -- Sunset Laws -- Terminates the educational television advisory committees. Amends TCA, Title 4, Ch. 29. Repeals TCA, Title 49, Ch. 50, Pt. 3.

Senate Bill No. 0140 -- Sunset Laws -- Extends termination date of Tennessee tollway authority. Amends TCA, Title 4, Ch. 29; Title 54, Chs. 2, 5, 15.

Senate Bill No. 0142 -- Sunset Laws -- Extends termination date of advisory board of vocational training centers; transfers powers and duties to department of human services. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 11.

Senate Bill No. 0146 -- Sunset Laws -- Extends termination date of department of correction. Amends TCA, Title 3, Ch. 15; Title 4; Title 7, Ch. 51; Title 8, Ch. 7; Title 9, Ch. 6; Title 10, Ch. 7; Title 16, Ch. 1; Title 33, Chs. 3, 6, 7; Title 37, Chs. 1--4; Title 38, Ch. 6; Title 39, Chs. 5, 6; Titles 40, 41; Title 49, Ch. 4; Title 67, Ch. 4; Title 68, Ch. 11.

Senate Bill No. 0179 -- Sunset Laws -- Extends termination date of board of paroles. Amends TCA, Title 4, Chs. 3, 5, 29; Title 8, Ch. 7; Title 38, Ch. 6; Title 39, Ch. 3; Title 40; Title 41, Ch. 1.

MONDAY, FEBRUARY 13, 1989 -- EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

February 13, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 70, 72, 73 and 83; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0070 -- Memorials, Public Service -- Honors David King on his service to the state.

Senate Joint Resolution No. 0072 -- Memorials, Sports -- Commemorates TSSAA's Boys and Girls State Tournament Week.

Senate Joint Resolution No. 0073 -- Memorials, Retirement -- Honors Dr. J. Gerald Parchment on occasion of retirement.

Senate Joint Resolution No. 0083 -- Memorials, Public Service -- Honors Ladies Hermitage Association on occasion of 100th anniversary of community service.

ENGROSSED BILLS

February 13, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 52, 140, 672, 682, 712 and 743; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 13, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 8, 39, 41, 44, 45, 46, 47, 48, 49, 50, 52, 53, 54, 57, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75 and 76; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.
Chief Clerk.

MONDAY, FEBRUARY 13, 1989 -- EIGHTH LEGISLATIVE DAY

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 13, 1989

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 670, 757, 777, 780 and 785.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 13, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, February 15, 1989: House Joint Resolution(s) No(s). 81 and 84; Senate Joint Resolution(s) No(s). 67, 69, 79 and 80; and House Bill(s) No(s). 757, 777, 780, 785 and 670.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 95.

On motion of Rep. Naifeh, the House adjourned until 2:00 p.m., Wednesday, February 15, 1989.